

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Stephen C. D'Amico  
Type or print name

  
Signature

August 26, 2002  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1636

FEDER ET AL.

Examiner: PAPPU, SITA

APPLICATION NO: 10/080,980

FILED: FEBRUARY 21, 2002

FOR: POLYNUCLEOTIDE ENCODING A NOVEL HUMAN POTASSIUM  
CHANNEL BETA-SUBUNIT, K<sup>+</sup>betaM6, EXPRESSED HIGHLY

IN THE SMALL INTESTINE

Assistant Commissioner for Patents  
Washington, D.C. 20231RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In reply to the Office Action dated July 26, 2002, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I drawn to an isolated nucleic acid molecule comprising SEQ ID NO:1 in its variant forms, vector, host cell, a method of making, and a method of diagnosing a pathological condition by determining the presence or absence of a mutation in the polynucleotide. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants response is timely and no extensions are necessary.

If any fee is due in connection herewith, please charge such fee to Deposit Account No. 19-3880 of the undersigned. Furthermore, if any extension of time not already accounted for is required, such extension is hereby petitioned for, and it is requested that any fee due for said extension be charged to the above-stated Deposit Account.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
(609) 252-4741  
Date: August 8, 2002

  
Stephen C. D'Amico  
Attorney for Applicants  
Reg. No. 46,652

Aug 31 2002

CASE D0121 NP

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Washington, D.C. 20231

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PRELIMINARY AMENDMENT

Sir:

Kindly enter the following amendments to the above captioned application.

**In the Specification:**

Please amend the specification as follows:

Replace page 216, with the following new page 216: